

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION**

**DEUTSCHE BANK NATIONAL
TRUST COMPANY, etc.,
Plaintiff,**

vs.

**BARBARA DEFRATIS, et al.,
Defendants.**

) **CASE NO. 1:07CV3276**
)
) **JUDGE CHRISTOPHER A. BOYKO**
)
) **DISMISSAL ORDER**
)
)
)

CHRISTOPHER A. BOYKO, J.:

Upon review of the docket and initial filings in the captioned foreclosure case, the Court finds the Complaint For Foreclosure was filed on October 23, 2007 by Plaintiff Deutsche Bank National Trust Company. On November 08, 2007, Plaintiff Deutsche Bank filed a copy of the Executed Assignment of right, title and interest to the Note and Mortgage at issue from Long Beach Mortgage Company to Plaintiff Deutsche Bank, dated October 24, 2007. (ECF DKT #6).

Since Plaintiff Deutsche Bank was not the holder and owner of the Mortgage as of the date the captioned Complaint For Foreclosure was filed, and pursuant to the reasoning in this Court's October 31, 2007 Dismissal Order in Case Nos. 1:07CV 2282, et al., the above-

captioned case is dismissed without prejudice.

IT IS SO ORDERED.

DATE: December 7, 2007

s/Christopher A. Boyko
CHRISTOPHER A. BOYKO
United States District Judge

FILED

DEC 11 2007

CLERK OF COURTS
U.S. DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK